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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,067	07/05/2001	Shunpei Yamazaki	12732-054001	1355

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EXAMINER

GILMAN, ALEXANDER

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 06/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,067

Applicant(s)

YAMAZAKI, SHUNPEI

Examiner

Alexander Gilman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 34-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 34-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Porowski et al.

With regard to claims 34-37, Porowski et al (US 6,329,215) disclose a method of manufacturing of a light emitting device, said method comprising steps of (col. 2, lines 44-53):

introducing gas from compressor into processing chamber;
pressurizing the processing chamber to pressure equal or higher than atmospheric pressure (col. 2, line 67);

forming EL layer.

With regard to claims 42-45, Porowski et al disclose a light emitting device selected from a group consisting a display devices (col. 1, lines 18-23).

2. Claims 34, 35, 38-45 rejected under 35 U.S.C. 102(e) as being anticipated by Yamazaki et al.

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

With regard to claims 34, 35, 38-45, Yamazaki et al (US 6,384,427) disclose a method of manufacturing of a light emitting device, said method comprising steps of (col. 7, lines 8-19):

introducing gas from compressor into processing chamber;

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pressurizing the processing chamber to pressure equal or higher than atmospheric pressure (col. 7, line 9);

forming EL layer.

With regard to claims 49-51, Yamazaki et al disclose a method of manufacturing of a light emitting device, said method comprising steps of :

introducing a substrate in a chamber;

making an atmosphere in the chamber containing a first solvent;

printing a luminescence material dissolved in a second solvent by a screen printing.

3. Claims 46, 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuribayashi et al Kuribayashi et al (US 6,175,345)

Kuribayashi et al disclose a method (col. 11, lines 1-11) comprising steps of

introducing a substrate in a chamber;

making an atmosphere in the chamber containing a first solvent;

printing a luminescence material dissolved in a second solvent by a screen printing

4. Claims 49, 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Aoki et al. Aoki (US 5,488,266) disclose a method of manufacturing of a light emitting device, said method comprising steps of (col. 7, lines 8-19):

introducing a substrate in a chamber (col. 5, lines 60-63);

making an atmosphere in the chamber containing a first solvent;

printing a luminescence material dissolved in a second solvent by a screen printing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 38, 46-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porowski et al in view of Aoki et al.

Porowski et al disclose all of the limitations except for making the EL layer by printing.

Aoki et al disclose step of printing EL layer.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to print the EL layer on the Porowski et al substrate (instead of using vapor deposition method) , as taught by Aoki et al , to utilize the Porowski method for polymer type organic EL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Gilman whose telephone number is (703) 305-0847. The examiner can normally be reached on Monday-Friday, 10:30 a.m. - 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (703) 308-2319. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.

Alexander Gilman

Handwritten signature of Alex Gilman in cursive script.

June 16, 2003